

Montgomery County Commissioners Meeting

May 4, 2004 ~ 6:00 p.m.

Chairman – William D. Maness “Billy”

Vice-Chairman – Dolon W. Corbett

Commissioner - Sally M. Morris

Commissioner – R.C. Bostic

Commissioner – George H. Knight, Jr.

County Manager – Lee Matthews

Clerk – Laura B. Morton

County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioners met in a regular session on Tuesday, May 4, 2004 at 6:00 p.m. A full board was present. Chairman Maness called the meeting to order and the following was heard:

Invocation

Rev. Harold Pope, pastor of Family Worship Ministries in Troy gave the invocation.

Approval of Minutes

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to approve the minutes.

Public Forum

Sissy King appeared before the board regarding a request for water her community turned in over two years ago. She wanted to know where the petition stands. Chairman Maness explained that the board is in the process of doing a rate study and looking into running lines. He said it is important to the board. Mrs. King said we need to look after our citizens first. Mr. Maness said it is not costing the county anything and that is going to bring more revenue in to run water lines. Commissioner Corbett asked Mrs. King how many homes does this represent. Mrs. King said 20-30.

Chairman Maness said we need to know where they fit into the master list. He told Mrs. King the board is trying and said we understand this is a serious issue.

Mr. Matthews also explained that there were fifty or more on the list and we could only fund around 20.

Board of Equalization and Review

Chairman Maness recessed the regular session and called to order the Board of Equalization and Review. He said we have one case, Mr. Terry Braswell.

Mr. Braswell came forward with his appeal on his valuation. He said the new valuation like \$7,000 doubling the previous valuation. He said the houses in the neighborhood are getting like the houses did in Smitherman Village. He said there are a couple of houses that have junk cars sitting around.

He said I have considered selling, but I hate to do that because I grew up in this neighborhood. He said I live in the house my dad built. He said I agree with Commissioner Corbett about the ones who need to pay taxes. Chairman Maness said it was valued at \$73,000 before? He answered yes.

Commissioner Corbett asked other than the license office what else does it join? Mr. Braswell said 134N.

Chairman Maness explained that he would be notified by certified mail of the board's decision.

Public Hearing - Proposed Changes to the Campground Ordinance

Chairman Maness adjourned the Board of Equalization and Review and called to order the Public Hearing regarding the proposed changes to the Campground Ordinance.

Chairman Maness said he would like to commend Commissioner Knight for all of his hard work.

He asked if anyone would like to speak regarding these proposed changes?

Mr. Bruce Helms appeared in support of the new proposed changes. He said he thinks it is a good ordinance and wanted to thank Commissioner Corbett for visiting one Saturday and also commended Commissioner Knight for all of his work on this and his fairness.

Chairman Maness closed the public hearing and reconvened the regular session.

Campground Ordinance

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve the changes to the campground ordinance. (This ordinance along with other county ordinances are on file in the Ordinance Book in the office of the Clerk to the Board).

Commissioner Morris wanted to make sure this motion incorporated the changes that were discussed in the work session. Commissioner Corbett said yes, as presented.

Building Moratorium

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to lift the building moratorium that was placed on Twin Harbor during the discussion of the proposed changes to the Campground Ordinance.

Purchase of a Digital Camera

In a motion made by Commissioner Knight, seconded by Commissioner Morris and so the motion carried unanimously to approve the purchase of a digital camera for the Inspections/Planning Department so they will be able to take pictures of all of the lots. The cost is not to exceed \$400.

Commissioner Morris told the owners from Twin Harbor to know that the Inspections Department will be out at the campground taking these pictures.

Planning Board Report

Mr. Phil Henley presented the following Planning Board Report:

New South Realty is requesting the rezoning of property located at 4852 NC Hwy 24/27 West, from R-1 to Commercial. The property is approximately .093. This request is in order to expand the Real Estate Business.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris and so the motion carried unanimously to approve the rezoning request for New South Realty from R-1 to Commercial.

Reappointment of Dr. Woodyear to the Board of Health

In a motion made by Commissioner Knight, seconded by Commissioner Maness, and so the motion carried unanimously to reappoint Dr. Woodyear to serve on the Board of Health.

Appointment of Doug Callicutt to the Biscoe ETJ Board of Adjustment

Mr. Matthews explained that State law requires towns of certain sizes to have a Board of Adjustment. He said the county is responsible for appointing the ETJ member.

In a motion made by Commissioner Morris, seconded by Commissioner Knight, and so the motion carried unanimously to appoint Mr. Doug Callicutt to serve as the Biscoe ETJ member of the Board of Adjustment.

Declaration of Surplus Equipment

A list was presented to the board of surplus equipment by Mr. Matthews. He also asked that if it was okay for employees to purchase surplus computers.

In a motion made by Commissioner Knight, seconded by Commissioner Corbett, and so the motion carried unanimously to approve the list of surplus equipment and allow county employees the opportunity to purchase surplus computers.

Items Carried Forward from the Work Session

The following items were carried forward from the work session:

Reserve Sewer Capacity and Set Impact Fee

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to reserve sewer capacity for Allen Realty Group with 300 lots and Tillery One/Two with 80 lots and to set the impact fee of \$3,000.

Resolution Codifying the Election Plan

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the resolution to codify the election plan. The resolution is as follows.

A RESOLUTION REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY CODIFY THE MONTGOMERY COUNTY ELECTION PLAN

WHEREAS, the United States District Court for the Middle District of North Carolina has ordered a new method of electing the Montgomery County Board of Commissioners; and

WHEREAS, because the rules for the upcoming short session of the General Assembly specify that only non-controversial bills may be introduced; and

WHEREAS, the Montgomery County Board of Commissioners certify that the requested bill is non-controversial for the sake of introduction; and

WHEREAS, a copy of the draft non-controversial local bill is attached to this Resolution for reference;

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Board of Commissioners does hereby respectfully request that the N.C. General Assembly Codify the Method of Electing the Montgomery County Board of Commissioners.

ADOPTED THIS 4TH DAY OF MAY, 2004.



William D. Maness, Chairman
Montgomery County Board of Commissioners

Laura B. Morton, Clerk to the Board

Twin Harbor Sewer Fee for Swimming Pool

In a motion made by Commissioner Bostic, seconded by Commissioner Corbett, and so the motion carried unanimously to waive the sewer fee for the tap for the swimming pool. A separate tap is to be paid for to keep the bathhouse and swimming pool separate.

Moore County Purchase of Water from Montgomery County

Chairman Maness said a letter needs to be sent, but the rates do not need to be included because of the current discussion on water rates.

Commissioner Bostic made a motion that Montgomery County not sale water to Moore County. He said Moore County is one of the richest counties bordering us. He said we have a reserve of 1.8 million. There are others that need water. He said we move at lightning speed for other counties, but our people have had to wait. The motion failed for lack of a second.

In a motion made by Commissioner Knight, seconded by Commissioner Maness and so the motion carried unanimously to approve the sell of water to Moore County.

Commissioner Knight said from my understanding, and I want to set the record straight, this purchase of water by Moore County will not hurt or take away from our citizens. He said this is extra revenue that will increase chances of running lines to those who need water. We must generate funds, am I right. Chairman Maness said I agree. Commissioner Knight said that is why I agree and support this. I wouldn't be for it if it would not help. Commissioner Morris said I agree and if we are low on water, our citizens are first.

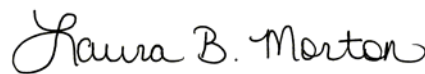
Commissioner Bostic requested a roll call vote. *The vote is as follows:*

Commissioner Corbett - aye
Commissioner Bostic - no
Chairman Maness - aye
Commissioner Knight - aye
Commissioner Morris – aye

There being no further business the meeting was adjourned.



William D. Maness, Chairman
Clerk to the Board



Laura B. Morton,